

REGULAR

NUMBER: 38.772

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING CHAPTER 10, TITLE XI OF THE MILPITAS MUNICIPAL CODE (ZONE CHANGE ZC2007-6)

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of April 17, 2007, upon motion by Councilmember Gomez, and was adopted (Second reading) by the City Council at its meeting of _____ upon motion by Councilmember _____. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

ORDAINING CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

SECTION 1. The Zoning Map of the City of Milpitas, which said map was adopted as part of Ordinance No. 38, enacted as Chapter XI-10 (Zoning, Planning and Annexation) of the Milpitas Municipal Code of said City, is hereby amended by adding thereto a new Section District No. 567 to the Zoning Map of the City of Milpitas, a copy of which is attached hereto and incorporated herein. The City Council finds said amendment is required by good zoning practice, public necessity, convenience and welfare.

SECTION 2. The exterior boundaries of the Zoning Map of the City of Milpitas as shown on that certain map entitled "Index Map to Section District Maps, Zoning Map of the City of Milpitas," which said Index Map was adopted as a portion of said Ordinance No. 38 of said city of Milpitas, and which said Index Map to Section District Maps is referred to in section 3.03 of said Ordinance No. 38, are hereby amended by adding to said Index Map the aforesaid Section District No. 567, referred to in Section 1 of this Ordinance.

SECTION 3. Publication and Effective Date. This ordinance shall take effect 30 days following its passage, and prior to the expiration of 15 days of the passage thereof shall be published at least once in a newspaper of general circulation, published and circulated in the City of Milpitas, County of Santa Clara, thenceforth and thereafter the same shall be in full force and effect.

SECTION 4. Severability. In the event any section or portion of this ordinance shall be determined invalid or unconstitutional, such section or portion shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Zone Change ZC2007-6

EXHIBIT A

- Unshaded sites are proposed to be rezoned “I-S” Institutional with the ‘S’ Zone combining district.
- Shaded sites are proposed to be rezoned “I-TOD-S” Institutional with the TOD overlay and ‘S’ Zone combining district.

Site No.	Sites	Location	Assessor Parcel Number	Current Zoning *
1	Milpitas City Hall Existing Milpitas Library Milpitas Community Center	455 E. Calaveras Blvd. 40 N. Milpitas Blvd. 457 E. Calaveras Blvd.	28-12-011	Town Center (TC)
2	Future Milpitas Library	160 N Main St.	28-24-019	Mixed Use with TOD Overlay (MXD-TOD)
3	Existing Milpitas Senior Center	540 S. Abel St.	86-10-25	Mixed Use (MXD)
4	United States Post Office	450 S. Main St.	86-10-004 & 005	MXD
5	Milpitas Police and Public Works Departments	1265 N. Milpitas Blvd. 1275 N. Milpitas Blvd.	22-02-012 22-02-047	Highway Service (HS)
6	Milpitas Sports Center/Teen Center	1325 E. Calaveras Blvd.	29-17-004, 013 & 015	Park & Open Space (POS)
7	Milpitas Fire Station 1	25 W. Curtis Ave. 777 S. Main St.	86-11-008	MXD
8	Milpitas Fire Station 2	1263 Yosemite Dr.	88-02-026	Multi-Family High (R3)
9	Milpitas Fire Station 3	45 Midwick Dr.	26-13-033	Single Family Residential (R1-6)
10	Milpitas Fire Station 4	775 Barber Lane	86-02-061	Industrial Park (MP)
11	Milpitas Unified School District Office	1331 E. Calaveras Blvd.	29-17-002	R1-6
12	Future Santa Clara County Medical Center	N. Main St.	22-08-042	MXD-TOD
13	Milpitas S. Main St. Garage (under construction)	Winsor St.	28-24-019, 020 & 026	MXD-TOD
14	Future Santa Clara County West Garage	N. Main St.	22-08-003	MXD-TOD
15	Elmwood Correctional Facility (Santa Clara County)	701 S. Abel St.	86-05-021(portion) 86-05-005 86-05-006	Agriculture (A)
16	Burnett Elementary School	400 Fanyon St.	29-21-022	R1-6
17	Curtner Elementary School	275 Redwood St.	22-03-001	R1-6
18	Pomeroy Elementary School	1505 Escuela Pkwy.	26-17-027	R1-6
19	Randall Elementary School	1300 Edsel Dr.	88-06-001	R1-6
20	Rose Elementary School	250 Roswell Dr.	88-12-054	R1-6
21	Sinnott Elementary School	2025 Yellowstone Ave.	88-24-005	R1-6
22	Spangler Elementary School	140 Abbott Ave.	22-26-001	R1-6
23	Weller Elementary School	345 Boulder St.	26-07-073, 074 & 075	R1-6
24	Zanker Elementary School	1585 Fallen Leaf Dr.	86-18-049	R1-6
25	Rancho Middle School	1915 Yellowstone Ave.	88-24-005	R1-6
26	Russell Middle School & Milpitas Unified School Corporation Yard	1500 Escuela Pkwy. 1585 Roger St.	26-26-001	R1-6
27	Milpitas High School	1285 Escuela Pkwy.	26-18-003 & 004	R1-6
28	Milpitas Community School	3001 Calaveras Rd.	29-37-003	POS

* All zoning districts in the chart, except for “R1-6”, have the “S” Zone Combining District attached.